

AMENDED IN ASSEMBLY APRIL 1, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2050

Introduced by Assembly Member Nakanishi

February 17, 2004

An act to amend Section 60119 of the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 2050, as amended, Nakanishi. Instructional materials.

Existing law establishes the Pupil Textbook and Instructional Materials Incentive Program under which a school district, as a condition of eligibility for funding available for purposes of the program, is required to hold a public hearing or hearings, as specified, as to the sufficiency of textbooks or instructional materials for each pupil and to determine whether each school in the district has sufficient textbooks and instructional materials. Existing law requires the governing board of a school district to provide 10 days' notice of the public hearing or hearings, requires the notice to contain the time, place, and purpose of the hearing, and requires the notice to be posted in 3 public places in the school district.

This bill would instead require the governing board to provide notice in the same manner that it customarily provides similar notice and information to the public.

The bill also would delete an obsolete provision of law.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 60119 of the Education Code is amended to read:

60119. (a) For the 1999–2000 fiscal year and each fiscal year thereafter, in order to be eligible to receive funds available for the purposes of this article, the governing board of a school district shall take the following actions:

(1) The governing board shall hold a public hearing or hearings at which the governing board shall encourage participation by parents, teachers, members of the community interested in the affairs of the school district, and bargaining unit leaders, and shall make a determination, through a resolution, as to whether each pupil in each school in the district has, or will have prior to the end of that fiscal year, sufficient textbooks or instructional materials, or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the state board.

(2) (A) If the governing board determines that there are insufficient textbooks or instructional materials, or both, the governing board shall provide information to classroom teachers and to the public setting forth the reasons that each pupil does not have sufficient textbooks or instructional materials, or both, and take any action, except an action that would require reimbursement by the Commission on State Mandates, to ensure that each pupil has sufficient textbooks or instructional materials, or both, within a two-year period from the date of the determination.

(B) In carrying out subparagraph (A), the governing board may use money in any of the following funds:

(i) Any funds available for textbooks or instructional materials, or both, from categorical programs, including any funds allocated to school districts that have been appropriated in the annual Budget Act.

(ii) Any funds of the school district that are in excess of the amount available for each pupil during the prior fiscal year to purchase textbooks or instructional materials, or both.

(iii) Any other funds available to the school district for textbooks or instructional materials, or both.

(b) The governing board shall provide ~~10 days~~^{10 days} notice of the public hearing or hearings set forth in subdivision (a) in the manner

1 that the board customarily provides similar notice and information
2 to the public.

3 (c) Except for purposes of Section 60252, governing boards of
4 school districts that receive funds for instructional materials from
5 any state source, are subject to the requirements of this section only
6 in a fiscal year in which the Superintendent of Public Instruction
7 determines that the base revenue limit for each school district will
8 increase by at least 1 percent per unit of average daily attendance
9 from the prior fiscal year.

